

IN RE: PETITION FOR ZONING VARIANCE
SE/Corner Old Maiden Choice
Lane and Wilkens Avenue
(Meadow Lane Apartments)
13th Election District
1st Councilmanic District
Alan S. Salny
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-284-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Zoning Variance, filed by Alan S. Salny, owner of the Meadow Lane Apartments, by and through his attorney, Eugene P. Smith, Esquire. The Petitioner herein requests variances from Sections 413.1a, 413.1d and 413.1e(1) and (3) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the erection and maintenance of two double-faced informational type signs of a quasi-public nature, each 8' high by 5' wide (40 sq.ft. per side, or 160 sq.ft. total), stating the name of an unusually large apartment complex, the direction, location and telephone number of its rental office, and the availability of units, plus, on one of the signs, the type of units available, in lieu of the permitted 1, 15 or 25 sq.ft. sign, pursuant to the relief sought, said signs to be supported by 4" x 4" iron pipe at 4' above ground level, all as more particularly described herein and on Petitioner's Exhibit 1.

The Petitioner, by Stephen M. Salny, his son, appeared, testified and was represented by Eugene P. Smith, Esquire. Also appearing on behalf of the Petition was Charles R. Fain, Building Superintendent. Appearing as Protestants in the matter were Kathleen Valderas, President, and Eleanor VanDevender, Zoning Chairperson, on behalf of the Maiden Choice Community Association, and Mary King, a concerned resident of the area.

ORDER RECEIVED FOR FILING
Date 3/11/92
By [Signature]

Testimony indicated that the subject property is the site of the Meadow Lane apartment complex, which consists of 395 units on 27.827 acres, more or less, split zoned D.R. 16 and R.O. Said property is located on Alda Drive off of Wilkens Avenue in Catonsville as more particularly described on a site plan of the property entered into evidence as Petitioner's Exhibit 1. The Petitioner was advised to file the instant Petition to legalize the two subject signs as a result of a complaint filed with the Zoning Administration and Development Management office. Stephen Salny testified that his family has owned and operated the Meadow Lane apartment complex for the past three generations. He provided testimony concerning the two signs which exist on the property in the locations shown on Petitioner's Exhibit 1. Mr. Salny testified that the sign located on the west side of the property has existed in its present location since 1948. He testified that a 4' x 5' banner which states "Move In Now Pay Only Security Deposit" is attached to the top of each sign by use of PVC piping. The banner is bright yellow with red lettering. Pictures of the subject signs were entered into evidence as Petitioner's Exhibits 2B and 2C. Further testimony revealed that the Petitioner also installed spot lights on the ground on both sides of the signs to illuminate them at night. Mr. Salny testified that the signs are directional in nature and are necessary to direct the public to this apartment complex. He also stated that the signs must be of this size and character in order to attract the attention of passers by. In Mr. Salny's opinion, a sign of smaller dimension would be over-looked by individuals passing by in an automobile. He also stated that the necessity for illumination was due to the fact that many of their potential tenants see these signs at night.

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By [Signature]

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Charles Fain testified briefly concerning the signs in question. Mr. Fain stated that he has been the superintendent for this property for the past 20 years. He testified that the light source used is a 60-watt halogen light which is in a fully enclosed lamp design.

Kathleen Valderas, President of the Maiden Choice Community Association, testified in opposition to the Petitioner's request. Ms. Valderas testified that the flood lights used to illuminate the subject signs are very bright and that the light spills over into the eyes of the drivers of oncoming traffic. In Ms. Valderas' opinion, the lighting creates a traffic hazard and hampers the vision of persons driving along Wilkens Avenue. Ms. Valderas further objected to the size of the signs and the yellow banner on top of the metal sign. She also testified that in her opinion, the color of the sign is not in character and in keeping with other signs located in the neighborhood.

Eleanor VanDevender, Zoning Chairperson for the Maiden Choice Community Association, also testified in opposition to the Petitioner's request. Her testimony along with that presented by Mary King, a 62-year resident of the neighborhood, was consistent with the testimony presented by Ms. Valderas. All of the Protestants object to the size, illumination and overall appearance of both signs.

In his Petition for Zoning Variance, the Petitioner cites several Sections within the B.C.Z.R. as being applicable to the relief requested. I find, however, that only Section 413.1d of the B.C.Z.R. is applicable to the facts presented to me at this hearing. It therefore becomes necessary to determine whether a variance from this Section, which limits the size of a sign to 15 sq.ft. in area, should be granted.

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Date 3/11/92
By [Signature]

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An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soiley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, I find that the relief requested meets the requirements of Section 413.1d of the B.C.Z.R. and that an area variance shall be granted from the 15 sq.ft. restriction found therein. In the opinion of this Deputy Zoning Commissioner, the modified relief granted herein would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare. However, the variance granted shall not be to the extent requested by the Petitioner. The Petitioner shall be permitted to keep the two existing signs in the locations shown on Petitioner's Exhibit 1. However, the Petitioner shall only be permitted to maintain the lower portion of the signs, which is constructed of metal and is 4' x 5' in dimension. The top portion of both signs which consists of a canvas banner supported by PVC piping shall not be permitted and must be removed. Therefore, the variance granted shall be for two

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By [Signature]

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double-faced signs of 40 sq.ft. each (20 sq.ft. per side), or 80 sq.ft. total. The signs shall remain in their present locations and shall remain the same color. As a condition of the relief granted, Petitioner shall submit for approval by this Deputy Zoning Commissioner a design plan for said signs which incorporates the relief granted herein, prior to the issuance of any sign permits.

In addition, both signs shall be permitted to be illuminated. The testimony presented by Mr. Fain indicated that the lighting is within an enclosed lamp design. However, there was ample testimony offered that the lighting used spills out and creates a tremendous glare for oncoming traffic along Wilkens Avenue. Therefore, the Petitioner must adjust the lighting so that only the faces of the signs themselves are illuminated and no spillage or glare is directed into oncoming traffic on Wilkens Avenue. The adjustment of the lighting shall be inspected by a member of the Zoning Enforcement Division of the Zoning Administration and Development Management office to insure compliance with this Order. It shall be in the discretion of the Zoning Inspector for that area as to whether the lighting source used by the Petitioner satisfies this requirement and does not create glare for oncoming traffic.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested, as modified, should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of March, 1992 that a variance from Section 413.1d of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two double-faced signs of 20 sq.ft. per side, or 80 sq.ft. total, stating the name of the apartment complex, the direction, location and

ORDER RECEIVED FOR FILING
Date 3/11/92
By [Signature]

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telephone number of its rental office, and the availability of units, plus, on one of the signs, the type of units available (said signs to be supported by 4" x 4" iron pipe at 4' above ground level), in lieu of the maximum permitted 15 sq.ft., be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their sign permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Prior to the issuance of any permits, Petitioner shall submit to the Deputy Zoning Commissioner for approval a design plan of the two subject signs incorporating the relief granted herein. A copy of the approved sign design plan shall be attached to this Order and made a part of the record.

3) Within thirty (30) days of the date of this Order and prior to the issuance of any sign permits, the Petitioner shall remove the top portion of each sign, which consists of the 4' x 5' yellow canvas banner with red lettering supported by PVC piping.

4) Within thirty (30) days of the date of this Order and prior to the issuance of any sign permits, the Petitioner shall adjust the lighting for said signs so as to eliminate any spillage or glare into oncoming traffic on Wilkens Avenue. The Petitioner shall contact the Zoning Enforcement Division of the Zoning Administration and Development Management office to arrange for a mutually convenient date and time for an inspection of the subject signs to insure compliance with Restrictions 3 and 4 of this Order.

4) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Sections 413.1a, 413.1d and 413.1e(1) and (3) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the erection and maintenance of

ORDER RECEIVED FOR FILING
Date 3/11/92
By [Signature]

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two double-faced informational type signs of a quasi-public nature, each 8' high by 5' wide (40 sq.ft. per side, or 160 sq.ft. total), stating the name of an unusually large apartment complex, the direction, location and telephone number of its rental office, and the availability of units, plus, on one of the signs, the type of units available, in lieu of the permitted 1, 15 or 25 sq.ft. sign, pursuant to the relief sought, said signs to be supported by 4" x 4" iron pipe at 4' above ground level, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

TMK:bjs

[Signature]
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 3/11/92
By [Signature]

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

March 11, 1992

(410) 887-4386

Eugene P. Smith, Esquire
Weinberg and Green
100 S. Charles Street, Suite 1400
Baltimore, Maryland 21201-2773

RE: PETITION FOR ZONING VARIANCE
SE/Corner Old Maiden Choice Lane and Wilkens Avenue
(Meadow Lane Apartments)
13th Election District - 1st Councilmanic District
Alan S. Salny - Petitioner
Case No. 92-284-A

Dear Mr. Smith:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

[Signature]
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Kathleen Valderas, President, and
Ms. Eleanor VanDevender, Zoning Chairman
Maiden Choice Community Association
P.O. Box 18262, Halethorpe, Md. 21227

Ms. Mary King
4400 Leeds Avenue, Baltimore, Md. 21229

People's Counsel

File



Petition for Variance

to the Zoning Commissioner of Baltimore County

92-284-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 21-111 and 21-112 of the Baltimore County Zoning Regulations to allow the erection and maintenance of two double-faced information type signs of a quasi-public nature, each 8.0 feet high and 5.0 feet wide, stating the name of an unusually large apartment complex, the direction, location and telephone number of its rental office, and the availability of units, plus, on one of the signs, the type of units available - 40 square foot signs in lieu of 1, 15 or 25 square feet as otherwise required by the aforesaid Section 21-111 and 21-112. Grant of the variance is in harmony with the spirit and intent of the sign regulations, and will result in no injury to public health, safety, or general welfare.

following reasons: (Indicate hardship or practical difficulty) Identification of the apartment complex is needed along Wilkens Avenue to inform transients of the location of the rental office, along with telephone number and availability of specified type units, all in a size reasonably legible, to provide adequate guidance on direct access, to avert slow-downs causing possible traffic problems. Grant of the variance is in harmony with the spirit and intent of the sign regulations, and will result in no injury to public health, safety, or general welfare.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Alan S. Salny

(Type or Print Name)

Signature

Address

City and State

Meadow Lane Apartments

4431 Alan Drive

Arbutus, Maryland 21229

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Eugene P. Smith, Esq.

100 South Charles Street

Baltimore, MD 21201 (410) 332-8713

Address

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING - 1/2HR. +1HR.

AVAILABLE FOR HEARING

MOR./TUES./WED. - NEXT TWO MONTHS

ALL OTHER DATE

REVIEWED BY: DATE

M. & H. DEVELOPMENT ENGINEERS, INC.
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204

Professional Engineer
Michael E. Heston
Registered Surveyor
Phone 928-0001

JANUARY 6, 1992
DESCRIPTION FOR SIGN VARIANCE
MEADOWLANE APARTMENTS
13TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point distant 23.50' northeasterly from the center line of Old Maiden Choice Lane (30 foot right of way) and the southermost side of Wilkens Avenue (66 foot right of way) thence along the southermost side of said Avenue N 66° 52' 40" E 150.00 feet, thence leaving said Avenue S 23° 07' 20" E 140.00 feet, thence N 66° 52' 40" E 350.00 feet, thence N 23° 07' 20" W 140.00 feet, to the southermost side of said Avenue thence with said Avenue N 66° 52' 40" E 392.63 feet; thence leaving said Avenue S 23° 07' 20" W 214.50 feet; thence S 56° 02' 20" E 334.10 feet, thence S 19° 41' 40" W 1236.76 feet thence N 50° 39' 40" W 63.36 feet, thence N 50° 17' 40" W 1016.74 feet to Northeastern most side of said Old Maiden Choice Lane, thence with said Lane N 27° 12' 20" E 195.50 feet to the place of beginning.

Containing 22.827 acres more or less.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13th Date of Posting: 2-21-92

Posted for: Variance

Petitioner: Alan S. Salny

Location of property: 4431 Alan Drive, Meadow Lane Apartments

Location of Sign: S.E. Corner of Alan Drive and Wilkens Ave.

Remarks:

Posted by: Lawrence E. Schmidt

Date of return: 2-26-92

Number of Signs: 2

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the ARBUTUS TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/13/92

ARBUTUS TIMES

S. Zeke Olson

Publisher

\$76.97

NOTICE OF HEARING
The Zoning Commission of Baltimore County, in accordance with the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed Variance from Section 21-111 and 21-112 of the Baltimore County Zoning Regulations to allow the erection and maintenance of two double-faced information type signs of a quasi-public nature, each 8.0 feet high and 5.0 feet wide, stating the name of an unusually large apartment complex, the direction, location and telephone number of its rental office, and the availability of units, plus, on one of the signs, the type of units available - 40 square foot signs in lieu of 1, 15 or 25 square feet as otherwise required by the aforesaid Section 21-111 and 21-112. Grant of the variance is in harmony with the spirit and intent of the sign regulations, and will result in no injury to public health, safety, or general welfare.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/14/92

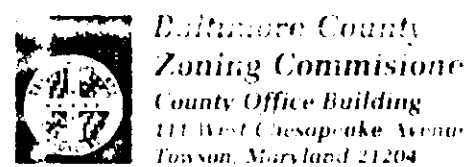
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/13/92

THE JEFFERSONIAN,

S. Zeke Olson

Publisher

\$76.97



Date: 2/14/92 Account: R 001-6150 Number

receipt

92-284-A

shir Validation

PLEASE MAIL THIS TO: BALTIMORE COUNTY

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 2/25/92

Alan S. Salny and Meadow Lane Apartments
4431 Alan Drive
Arbutus, Maryland 21229

RE: CASE NUMBER: 92-284-A
SEC Old Main Choice Lane and Wilkens Avenue
Meadow Lane Apartments
13th Election District - 1st Councilmanic
Petitioner(s): Alan S. Salny

Dear Petitioner(s):

Please be advised that \$76.97 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

ARNOLD JARLOW

DIRECTOR

cc: Eugene P. Smith, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JANUARY 28, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-284-A
SEC Old Main Choice Lane and Wilkens Avenue
Meadow Lane Apartments
13th Election District - 1st Councilmanic
Petitioner(s): Alan S. Salny
HEARING: MONDAY, MARCH 9, 1992 at 2:00 p.m.

Variance to allow the erection and maintenance of two double-faced information type signs of a quasi-public nature, each 8 feet high and 5 feet wide, stating the name of an unusually large apartment complex, the direction, location and telephone number of its rental office, and the availability of units, plus, on one of the signs, the type of units available - 40 square foot signs in lieu of 1, 15 or 25 square feet to be supported by 4 inch by 4 inch iron pipe, at 4 feet above ground level.

Lawrence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: Alan S. Salny
Eugene P. Smith, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 14, 1992

Eugene P. Smith, Esquire
1400 Equitable Bank Center
100 South Charles Street
Baltimore, MD 21201-2773

RE: Item No. 299, Case No. 92-284-A
Petitioner: Alan S. Salny, et al
Petition for Variance

Dear Mr. Smith:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committee Comments
Date: February 14, 1992
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,

W. Carl Richards Jr.

W. Carl Richards
Coordinator

WCR:jw

Enclosures

cc: Mr. Alan S. Salny
Meadow Lane Apartments
4431 Alan Drive
Arbutus, MD 21229



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
15th day of January, 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Alan S. Salny

Petitioner's Attorney: Eugene P. Smith

92-284-A



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

February 25, 1992

Re: Wilkens Avenue (MD 372)
Zoning Item No. 299

Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Plans concerning the above subject were reviewed, and the location
in question was inspected by Mr. Jessie L. Parker, the Highway
Beautification Inspector for the area.

This office has no objections to the location of the sign as per
plans submitted. Please inform the sign owner that the sign shall
not over-hang the State's right-of-way.

Should you need further information, please call me at (410) 333-
1640.

Sincerely,

George T. Dawson
George T. Dawson, Chief
Highway Beautification Section

GTD:cej

cc: Jessie Parker

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FEB 27 1992
ZONING OFFICE

My telephone number is _____

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

February 4, 1992

Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
County Office Building
Towson, Maryland 21204
Attn: James Dyer

RE: Baltimore County
Zoning meeting of
2/4/92
Wilkens Avenue
MD 372
Item #299

Dear Mr. Jablon:

After review of the referenced plat submittal for the erection and maintenance of two
double-faced information signs along Wilkens Avenue, we have forwarded the plat to our
Highway Beautification Division for their review and comment, C/O Mr. George Dawson (333-
1642).

If you have any questions, please contact Ms. Peggy Blank at 333-1350.

Very truly yours,

John Contestabile
John Contestabile, Chief
Engineering Access Permits
Division

PB/es

cc: Mr. George Dawson w/plan
M.H. Development Engineers, Inc.
Mr. J. Ogle

RECEIVED
FEB 10 1992
ZONING OFFICE

My telephone number is 301-333-1350 (Fax# 333-1041)

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

92-284-A 3-9-92

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 26, 1992
Zoning Administration and
Development Management

FROM: Gary L. Kerns, Chief
Comprehensive and Community Planning
Office of Planning and Zoning

SUBJECT: Salny Property, Item No. 299

In reference to the applicant's request, staff offers no
comments.

If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning at 887-3211.

GLK/JL:rdn
ITEM299/TXTRO2

92-284-A 3-9

DEPARTMENT OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: February 20, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahoe J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: February 4, 1992

This office has no comments for item numbers 298, 299, 300, 301, 302
and 303.

Rahoe J. Famili
Rahoe J. Famili
Traffic Engineer II

RJF/lvd

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21204-5500

(301) 887-4500

JANUARY 31, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: ALAN S. SALNY

Location: MEADOWLANE APARTMENTS

Item No.: 299 Zoning Agenda: FEBRUARY 4, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John J. Pifer* Noted and
Planning Group Approved
Special Inspection Division Fire Prevention Bureau

JF/KEK

BALTIMORE COUNTY
ECONOMIC DEVELOPMENT COMMISSION

Memorandum

TO: Julie Winiarski
Office of Zoning Administration and
Development Management

FROM: A. J. Haley, Deputy Director
Economic Development Commission

DATE: January 29, 1992

RE: Zoning Advisory Comments for Meeting of February 4, 1992

This office has no comment for items 298, 299, 300, 301, 302, 303 and 304.

RECEIVED
JAN 30 1992
ZONING OFFICE

92-284

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 13, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 4, 1992

The Developers Engineering Division has reviewed
the subject zoning items and we have no comments for
Items 298, 300, 301, 302 and 303.

For Item 304, this site must be submitted for
review and comments under the minor subdivision process.

For Item 298, a County Review Group Meeting will be
required.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

15225.28

Hon. Timothy M. Kotroco
Deputy Zoning Commissioner
Suite 113 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Meadow Lane Apartments
Case No. 92-284-A

Dear Mr. Kotroco, Deputy Zoning Commissioner:

I herein report on the restrictions made part of the Zoning Order entered in the above entitled case, as follows:

Item 2. I submit for your approval, six copies of the design plan of each of the signs approved, one for the sign on the west side of the subject property, and the other for the sign on the east side of the subject property. The plan is clearly in accordance with the approved design plan. The figures submitted, as shown on the top portion of each sign, already taken down are retained for reference purposes. I ask you to return the plan as stated in the succeeding paragraph. I ask you to retain two copies of the approved design plan for each sign. To remain two copies of the plan approved for the file, and to be made part of my Order.

Item 3. Within thirty (30) days of your March 11, 1992 Order entered in the case, the top portion of each sign, consisting of a 4' x 5' yellow canvas banner with red lettering, supported by PVC piping, was removed from each sign.

Item 4. Lighting was adjusted, and the Zoning Enforcement Division of the Zoning Administration and Development Management Office contacted to arrange for a mutually convenient date and time for inspection of the signs. The inspection was made and we were advised by the inspector, Kevin Connor, that the signs and lighting complied with Restrictions 3 and 4 of the

6527:03/06/92
CCU56:5943T

MAIDEN CHOICE COMMUNITY ASSOCIATION, INC.

RESOLVED: That the position of the Maiden Choice Community Association, Inc. as adopted by the Board of Directors on the zoning matter known as "Case No. 92-284-A, Meadowlane Apartments" is that the Association opposes the granting of a variance for two double-faced 40 square foot signs for the following reasons:

1. The existing signs already violate Section 413.1e of the Baltimore County Zoning Regulations, since these signs are (a) larger than 15 square feet in area; (b) illuminated by floodlights that cause a glare for oncoming traffic traveling east on Wilkens Avenue; and (c) used for advertising purposes on the upper extension of the sign. [See photographs attached.] The upper extension appears to be temporary, leading to the conclusion that the information on it will be temporary and may be changed and used for advertising purposes.

2. Section 413.1d of the Baltimore County Zoning Regulations limits an apartment building to one sign of a maximum of 15 square feet in area. The size of the existing signs are detrimental to the character of the surrounding neighborhood and face residential areas.

AS WITNESS OUR HANDS AND SEAL this 7th day of March,

ATTEST:

MAIDEN CHOICE COMMUNITY
ASSOCIATION, INC.

Margaret H. Kibbe
Secretary

Karlene E. Valdivia
President

6527:03/02/92
BYT69-5845T

MAIDEN CHOICE COMMUNITY ASSOCIATION, INC.

RESOLVED: That at the quarterly meeting of the Maiden Choice Community Association, Inc. held on January 14, 1992, it was voted by the Association that responsibility for review and action on all zoning matters for the period January, 1992 through January, 1993, be placed in the Board of Directors consisting of the following members:


Kathy Valderas
Melinda Peugh
Joyce Norris
Linda Abner
Peggy Rickle
Mike Kilduff
Dennis McLaughlin
Eleanor VanDevender
Bob Higdon
Terry Geyer

AS WITNESS OUR HANDS AND SEAL this 8th day of March,

1992.

ATTEST:

MAIDEN CHOICE COMMUNITY
ASSOCIATION, INC.


Secretary

Kathleen P. Valdivia
President

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

<u>NAME</u>	<u>ADDRESS</u>
Maiden Church Community Assn.	P.O. Box 18262, Halthrop, Md. 21227
Eleanor VanDevender - Zoning Chairperson	Same
Kathleen Vidleras - Resident	Same
Mary King	4400 Leeds Ave, Balto, MD 21229

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
SEGERE P. SHIFF	1400 E. 4th Ave
1175	1000 1/2 St. N. S.W.
	Butte, MT 59701

1. 1941 1942 1943 1944 1945 1946 1947 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349

A hand-drawn sketch of a building facade, likely a sign or entrance. The sketch is enclosed in a rectangular frame. At the top, a horizontal dimension line indicates a width of 5'0". On the right side, a vertical dimension line indicates a height of 4'0". The central part of the facade features a sign with the text "MEADOW LANE" in large, bold, capital letters, followed by "APARTMENTS" in slightly smaller, bold, capital letters. Below the sign, there is handwritten text: "2 Bedrooms", "342-9530", and "Rental Office" with an arrow pointing to the left. The bottom of the facade has a horizontal dimension line indicating a width of 4'0". The entire sketch is labeled "WEST SIDE OF SUBJECT PROPERTY" at the top.

WEST SIDE OF SUBJECT PROPERTY

5'0"

4'0"

MEADOW LANE
APARTMENTS

2 Bedrooms
342-9530
Rental Office

4'0"

Re Zoning Case No. 92-284-A
Meadow Lane Apartments

Design Plan of Sign located near
westernmost intersection of Wilkens
Avenue and Alan Drive

Approved:

Timothy M. Kotroco
Deputy Zoning Commissioner
for Baltimore County

Photographs -
Case 92-284-A

EAST SIDE OF SUBJECT PROPERTY

MEADOW LANE
APARTMENTS
242-9530
← RENTAL OFFICE 124
4431 ALAN DRIVE

Re Zoning Case No. 92-284-A
Meadow Lane Apartments

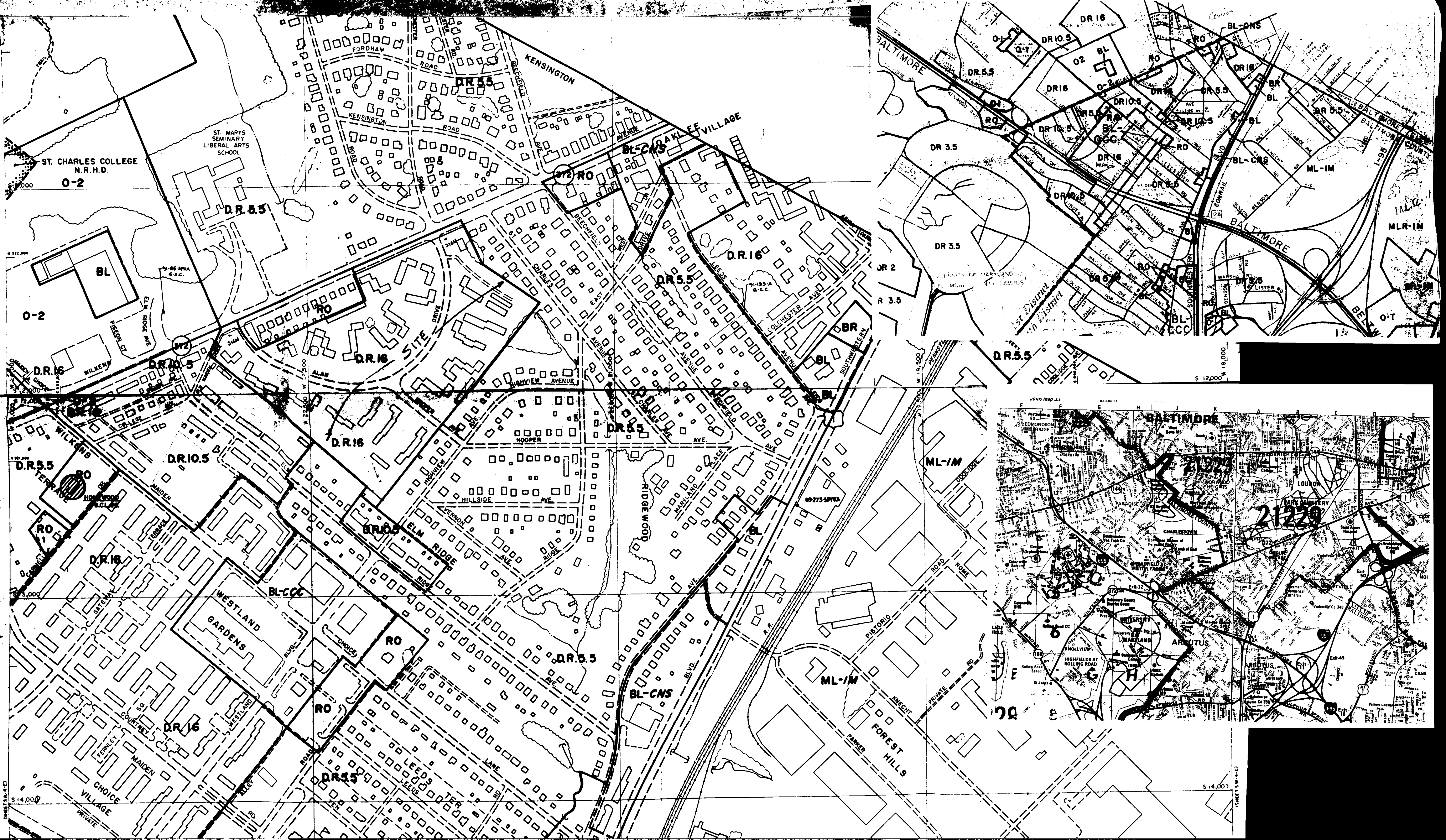
Design Plan of Sign located near easternmost intersection of Wilkens Avenue and Alan Drive

Approved:

Timothy M. Kotroco
Deputy Zoning Commissioner
for Baltimore County

**4660
WILKENS
AVENUE**

Reliable Carpet Service, Inc.
 (AREA) 242-6010 (SHEP)



ZONING D-2

PROPOSED 4'x5' BANNER (205.4)
PROPOSED 4'x5' METAL SIGN (205.4)
PROPOSED 4'x4' P.V.C. PIPE

PROPOSED SIGN (2 SIDED) (805.4) D.R.S.5
(NO SCALE)

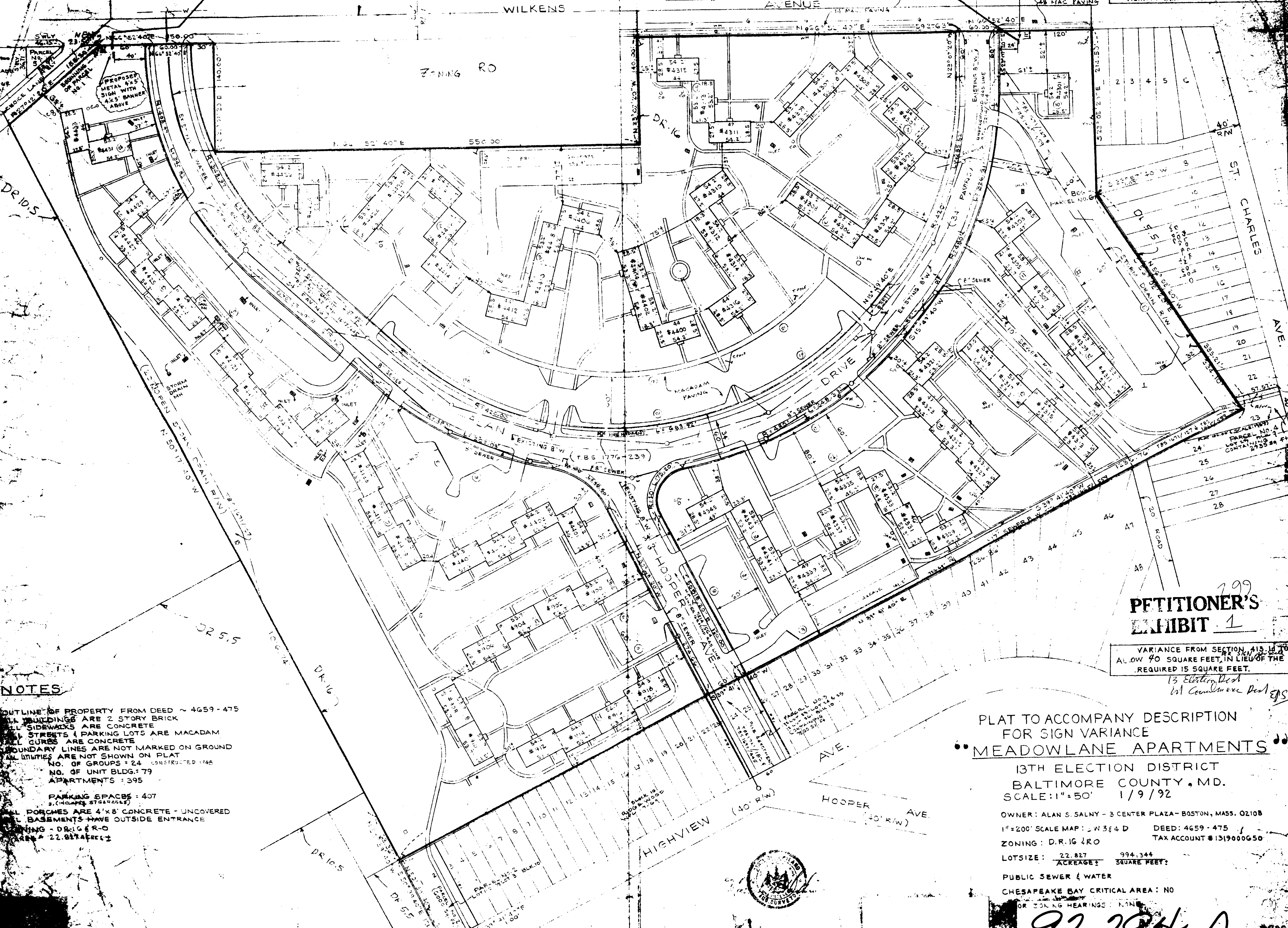
PROPOSED SIGN (2 SIDED) (805.4)
(NO SCALE)

MOVE IN NOW
PAY SECURITY DEPOSIT NOW
MEADOW LAKE APARTMENTS
#4330-4339
2251 ALAN DRIVE
BALTIMORE, MD 21206

PROPOSED 4'x5' BANNER (205.4)
PROPOSED 4'x5' METAL SIGN (205.4)
PROPOSED 4'x4' P.V.C. PIPE

PROPOSED METAL 4'x5' SIGN WITH 4'x5' BANNER ABOVE

VICINITY MAP: 1"=1000'



NOTES

OUTLINE OF PROPERTY FROM DEED ~ 4659-475
ALL BUILDINGS ARE 2 STORY BRICK
ALL SIDEWALKS ARE CONCRETE
STREETS & PARKING LOTS ARE MACADAM
CURBS ARE CONCRETE
BOUNDARY LINES ARE NOT MARKED ON GROUND
ALL UTILITIES ARE NOT SHOWN ON PLAT
NO. OF GROUPS = 24 CONSTRUCTED 1948
NO. OF UNIT BLDG: 79
APARTMENTS = 395
PARKING SPACES = 407
(INCLUDE STAGNANT)
ALL PORCHES ARE 4'x8' CONCRETE - UNCOVERED
ALL BASEMENTS HAVE OUTSIDE ENTRANCE
ZONING - D.R. 16 & R-0
AREA # 22.827 acres

199
**PETITIONER'S
EXHIBIT 1**
VARIANCE FROM SECTION 413.16 TO
ALLOW 40 SQUARE FEET, IN LIEU OF THE
REQUIRED 15 SQUARE FEET.
13 Election District
W. Comm. Dist. 13

PLAT TO ACCOMPANY DESCRIPTION
FOR SIGN VARIANCE
MEADOWLAKE APARTMENTS
13TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.
SCALE: 1"=50' 1/9/92
OWNER: ALAN S. SALNY - 3 CENTER PLAZA - BOSTON, MASS. 02108
1"=200' SCALE MAP: D.W. 384 D DEED: 4659-475
ZONING: D.R. 16 & R-0 TAX ACCOUNT #1319000650
LOTSIZE: 22.827 994,344
ACREAGE: SQUARE FEET:
PUBLIC SEWER & WATER
CHESAPEAKE BAY CRITICAL AREA: NO
OR ZONING HEARINGS: NONE
92-284-A

NOTES ON THE STATUS OF THE PROJECT AND THE PROPERTY INVOLVED

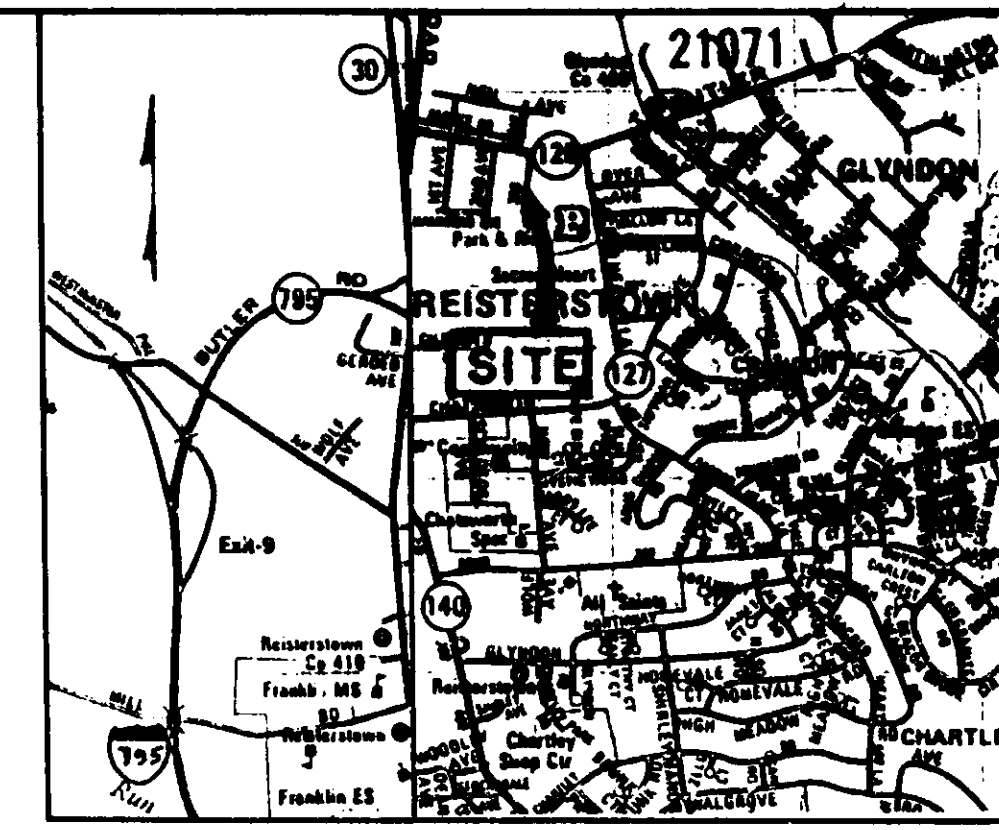
In May of 1989 a C.R.G. plan for the subdivision of Lots 25-28 of "Goshen" was submitted to the Dept. of Public Service for review and comment. Delays for local open space and stormwater management were anticipated. The C.R.G. meeting was held on June 15, 1989. The meeting was continued.

Efforts to bring the plan into compliance with the requirements of the reviewing agencies continued and most of the requirements were addressed adequately; however, the developers were unable to reach an agreement with the adjacent downstream property owners for a suitable drainage outfall and easement.

Plans for the subdivision were temporarily abandoned and permits to construct based on the existing lots were obtained. Two of these homes (lots 25-27 & lots 28-30) have been sold and a third is under construction. Further construction cannot occur until Third Avenue is extended with a turn around and a suitable outfall and drainage easement is provided across the two adjacent downstream properties (lots 2 and 3 of the Freest subdivision).

Renewed negotiations with the downstream property owners resulted in an agreement which would provide the necessary drainage easement. However, a condition of that agreement requires subdivision of the two adjacent lots downstream to create a third lot. Subsequent meetings with the Current Planning and Zoning offices indicated that the C.R.G. Plan should be updated and reconfigured to include these new lots. This revised and reconfigured plan represents the best efforts of the developer to meet the requirements of the county and of the adjacent property owners.

The existing panhandle that serves the two "Freest Lots" behind the Goshen Lots, will continue to serve the existing house on lot 5 and the new Lot 4. A new 16' panhandle will be constructed on two 12' strips to serve lot 2 and the other existing house on the Freest Lot (lot 3). The new lot 4 will use the existing water service to the existing dwelling on lot 3 and a new water service will be provided to the existing dwelling on lot 2 along the new 12' strip easement for the panhandle. The new service to Lot 5 will be constructed before the existing service to that dwelling is disconnected.



VICINITY MAP
1" = 2,000'

GENERAL NOTES

- Existing Use: Residential
Proposed Use: Residential
Existing Zoning: DR 3.5
Net Acreage: 2.220 Acres
Gross Acreage: 2.348 Acres
No. of Lots Allowed: (2,348 x .35) = 8
No. of Lots Proposed: 5 LOTS (5 D.U.)
No. of Lots Existing: 7 LOTS
No. of Existing Residences: 2 D.U.s
No part of the gross area of this property, as shown on the plan has ever been utilized, recorded, or represented as density or area to support any off-site dwellings.
- Census Tract: 404.02
Watershed: 12
Subwatershed: 81
Election District: 4 C-3
- OWNERS:

MRB CONSTRUCTION CO., INC.
c/o Mr. Brian Schiner
11215 Lockwood Drive
Silver Spring, Maryland 20901
Deed Reference: 8543/467
Tax Account No.: 22 000 03679

HERBERT AND LOIS SNYDER
113 Third Avenue
Reisterstown, Maryland 21136
Deed Reference: 7277/448
Tax Account No.: 20 000 10439

RONALD AND ELYSE SINGER
111 Third Avenue
Reisterstown, Maryland 21136
Deed Reference: 7189/171
Tax Account No.: 20 000 10438

- Off Street Parking: (5 x 2) = 10
Off Street Parking Provided: 10
Open Space Waiver approved June 14, 1989
- Stormwater Management Waiver Requested.
- Average Daily Trips (ADT): (10.4 x 5) = 52 Trips
- No Historic Buildings, Archeological Sites, Endangered Species Habitats, or Hazardous Material Disposal Sites are on the property.
- Refuse Collection, Snow Removal, and Roadway Maintenance are to be provided by Baltimore County to the junction of the panhandle and street Right-of-way line only and not onto the panhandle lot driveway.
- No wells, septic systems, or underground storage tanks exist on the site.
- Landscaping Requirements: One planting unit shall be required for every 40 linear feet of adjacent road. A minimum of 75% of these planting units shall be major trees. (160/40) = 4 Planting units required
- These lots cannot be further subdivided until such time as a public road is constructed to service panhandle lots

2-21-92	1	PRE - CRG COMMENTS
Date	No.	Revision Description

OWNER/DEVELOPER

M.R.B. CONSTRUCTION
MR. BRIAN SCHINER
5520 KLEES MILL ROAD
SYKESVILLE, MARYLAND 21784
(301) 539-7578
DEED REF: LIBER 8543 FOLIO 487

JOHN R. HEINRICH, P.E.
CONSULTING ENGINEER
5124 S. ROLLING ROAD
BALTIMORE, MARYLAND 21227
(301) 247-4036 FAX 247-9397

AREA "GOSHEN" 3RD AVENUE
PLAT BOOK NO. 7, FOLIO 156, SECTION D, LOTS 34-38
4TH ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND

TITLE
C R G PLAN "GOSHEN"

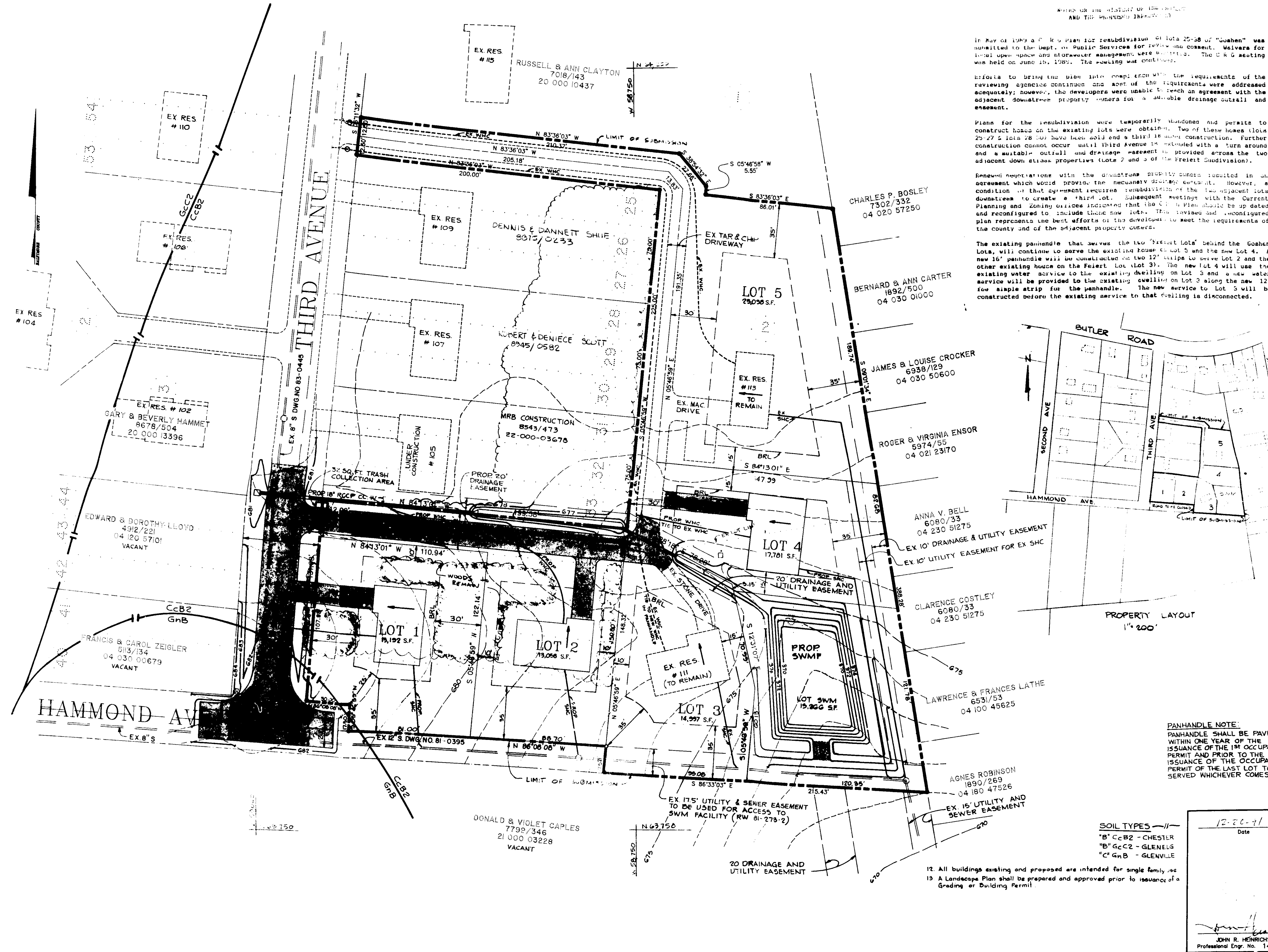
PLANNING # IV-365 C R G #92-086

Des By: J.R.H.	Date: 12-13-91	3RD - CRG DWG.
Des By: J.R.H.	Date: 12-13-91	1 OF 1
Des By: J.R.H.	Date: 12-13-91	

REVISED CRG PLANS

FILE COPY
DATE

2-21-92



SOIL TYPES - II -
"B" CcB2 - CHESTER
"B" GcC2 - GLENEL
"C" GcB - GLENVILLE

12-20-91
Date

JOHN R. HEINRICH
Professional Eng. No. 14920

- All buildings existing and proposed are intended for single family use
- A Landscape Plan shall be prepared and approved prior to issuance of a Grading or Building Permit